

# SEAN P. SULLIVAN

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## EMPLOYMENT

- University of Iowa College of Law, Iowa City, IA**  
2022– Professor of Law  
2024– Bouma Faculty Fellow in Law  
2017–22 Associate Professor of Law
- Bureau of Competition, Federal Trade Commission, Washington, D.C.**  
2013–17 Attorney
- Department of Economics, University of Virginia, Charlottesville, VA**  
2008–11 Researcher and Program Developer, Experimental Economics Lab  
2005–08 Recitation Instructor
- Congressional Budget Office, Washington, D.C.**  
2005 Summer Associate

## EDUCATION

- University of Virginia School of Law, Charlottesville, VA**  
MAY 2013 J.D., *Order of the Coif*
- University of Virginia, Charlottesville, VA**  
DEC 2011 Ph.D. Economics  
JAN 2007 M.A. Economics
- George Mason University, Fairfax, VA**  
JAN 2007 M.S. Statistical Science  
JAN 2005 B.S. Economics, *summa cum laude*

## BOOKS & EDITED VOLUMES

- 2024 CASES AND MATERIALS ON U.S. ANTITRUST IN GLOBAL CONTEXT (with E. Fox & D. Crane); 2023 Update; 2024 Advisory on 2023 Merger Guidelines
- 2024 THE 2023 U.S. MERGER GUIDELINES - A REVIEW (editor) (2024)

## ARTICLES & CHAPTERS

- 2024 *The Evolution (and Devolution) of Market Structure Reasoning, in* THE 2023 U.S. MERGER GUIDELINES - A REVIEW (Sean Sullivan ed., forthcoming 2024)
- 2024 *The Decline of Coordinated Effects Enforcement and How to Reverse It* (with D. Sokol), 76 FLORIDA LAW REVIEW (forthcoming 2024)
- 2023 *Against Efforts to Simplify Antitrust*, 49 JOURNAL OF CORPORATION LAW 419 (2024) (symposium)
- 2023 *Permutation Tests for Experimental Data* (with C. Holt), 26 EXPERIMENTAL ECONOMICS 775 (2023)
- 2023 *Antitrust Time Travel: Entry & Potential Competition* (with H. Su), 85 ANTITRUST LAW JOURNAL 147 (2023)
- 2023 *Market Definition, in* 1 RESEARCH HANDBOOK ON ABUSE OF DOMINANCE AND MONOPOLIZATION (Pinar Akman, Konstantinos Stylianou, & Or Brook eds., Edward Elgar 2023)
- 2021 *Modular Market Definition*, 55 UC DAVIS LAW REVIEW 1091 (2021)
- 2020 *The Logic of Market Definition* (with D. Glasner), 83 ANTITRUST LAW JOURNAL 293 (2020) (winner of 2020 Antitrust Writing Awards: Academic Articles, Economics)
- 2020 *Anticompetitive Entrenchment*, 68 KANSAS LAW REVIEW 1133 (2020) (symposium)
- 2020 *Lumps in Antitrust Law*, CHICAGO LAW REVIEW ONLINE (2020) (symposium)
- 2019 *Insincere Evidence* (with M. Gilbert), 105 VIRGINIA LAW REVIEW 1115 (2019)
- 2019 *A Likelihood Story: The Theory of Legal Fact-Finding*, 90 COLORADO LAW REVIEW 1 (2019)

- 2018 *Powers, But How Much Power? Game Theory and the Nondelegation Principle*, 104 VIRGINIA LAW REVIEW 1229 (2018)
- 2017 *Experimental Economics and the Law* (with C. Holt), in 1 OXFORD HANDBOOK OF LAW AND ECONOMICS 78 (Francesco Parisi ed., Oxford University Press 2017)
- 2016 *Why Wait to Settle? An Experimental Test of the Asymmetric Information Hypothesis*, 59 JOURNAL OF LAW & ECONOMICS 497 (2016)
- 2016 *What Structural Presumption? Reuniting Evidence and Economics on the Role of Market Concentration in Horizontal Merger Analysis*, 42 JOURNAL OF CORPORATION LAW 403 (2016)
- 2015 *Probative Inference from Phenomenal Coincidence: Demystifying the Doctrine of Chances*, 14 LAW, PROBABILITY & RISK 27 (2015)
- 2013 *Empowering Market Regulation of Agricultural Animal Welfare through Product Labeling*, 19 ANIMAL LAW REVIEW 391 (2013)
- 2012 *Water Externalities: Tragedy of the Common Canal* (with C. Holt, C. Mallow, and C. Johnson), 78 SOUTHERN ECONOMICS JOURNAL 1142 (2012)
- 2011 AN EXPERIMENTAL STUDY OF SETTLEMENT DELAY IN PRETRIAL BARGAINING WITH ASYMMETRIC INFORMATION, *Dissertation: University of Virginia*, UMI PUB. NO. 3501713 (2011)
- 2010 *Measurement Error in Criminal Justice Data* (with J. Pepper and C. Petrie), in HANDBOOK OF QUANTITATIVE CRIMINOLOGY 353 (Alex Piquero and David Weisburd eds., Springer 2010)

## SHORTER WORKS

- 2024 *Experimental Analysis of Antitrust Issues* (with C. Holt), in EDWARD ELGAR ENCYCLOPEDIA OF BEHAVIOURAL AND EXPERIMENTAL ECONOMICS (Swee-Hoon Chuah, Robert Hoffmann, & Ananta Neelim, eds., forthcoming)
- 2023 *Coordinated Effects and the Half-Truth of the Lax Enforcement Narrative* (with D. Sokol), ANTITRUST CHRONICLE, Jul 2023
- 2022 *Seven Myths of Market Definition*, ANTITRUST CHRONICLE, Apr 2022
- 2019 *Antitrust Amorphisms*, ANTITRUST CHRONICLE, Nov 2019

- 2019 *Challenges for Comparative Fact-Finding*, 23 INTERNATIONAL JOURNAL OF EVIDENCE & PROOF 100 (2019) (symposium)

## WORKING PAPERS

- 2024 *The Directional Difference Test* (with C. Holt and D. Kwiatkowski)
- 2024 *The Practical Indicia Test: A Dead End for Antitrust*
- 2023 *Antitrust for Future Markets*

## AWARDS, GRANTS & FELLOWSHIPS

- 2020 Concurrences Writing Award: Academic Article, Economics
- 2013 John M. Olin Prize in Law & Economics
- 2013 Society of the Cincinnati, Augustine J. Todd Scholarship
- 2012 First Place, Bob Barker Animal Law Writing Competition
- 2009 NSF Grant for “Experimental Analysis of Settlement Delay” SES 0922513
- 2009 Dissertation-Year Fellowship, Graduate School of Arts & Sciences
- 2009 Bankard Predoctoral Fellowship in Political Economy (declined)
- 2008–10 John M. Olin Foundation, Law & Economics Scholarship
- 2007–08 University of Virginia MasterCard Fellowship
- 2007 Academic Excellence Award for Graduate Statistics
- 2005–08 Governor’s Fellowship in Economics
- 2006 Wall Street Journal Award in Economics

## SELECTED CONFERENCE & WORKSHOP PRESENTATIONS

- 2023 *The Decline of Coordinated Effects Enforcement and How to Reverse It*, Cambridge-USC Virtual Antitrust Workshop, Los Angeles, CA, Feb 2023
- 2022 *Antitrust Time Travel: Entry & Potential Competition*, Antitrust Scholars Roundtable, Irvine, CA, Nov 2022
- 2022 *Against Efforts to Simplify Antitrust*, Classical Liberal Institute & Journal of Corporation Law: Panel discussion on “The New Age of Antitrust,” New York, NY, Nov 2022

- 2021 *Modular Market Definition*, Michigan-USC-Virginia Virtual Law & Economics Workshop Series, Ann Arbor, MI, Jul 2021
- 2021 *Modular Market Definition*, Thurman Arnold Project - Virtual Workshop Series, New Haven, CT, Jul 2021
- 2021 *Against Efforts to Simplify Antitrust*, University of Iowa Summer Workshop, Iowa City, IA, Jul 2021
- 2021 *Modular Market Definition*, University of Iowa Faculty Workshop, Iowa City, IA, Feb 2021
- 2020 *Modular Market Definition*, Cambridge - Florida Virtual Antitrust Law Series, Gainesville, FL, Oct 2020
- 2020 *Modular Market Definition*, University of Iowa Summer Workshop, Iowa City, IA, May 2020
- 2020 *Anticompetitive Entrenchment*, University of Iowa Faculty Workshop, Iowa City, IA, Mar 2020
- 2019 *Lumps in Antitrust Law*, University of Chicago Law Review Symposium: Slices and Lumps, Chicago, IL, Nov 2019
- 2019 *Anticompetitive Entrenchment*, University of Kansas Law Review Symposium: Antitrust Law & Policy in the 21st Century, Lawrence, KS, Nov 2019
- 2019 *Anticompetitive Entrenchment*, University of Florida Competition Conference, Gainesville, FL, Nov 2019
- 2019 *Permutation Tests for Experimental Data*, University of Virginia Quantitative Collaborative, Charlottesville, VA, Oct 2019
- 2019 *The Logic of Market Definition*, American Law and Economics Association, New York, NY, May 2019
- 2019 *Insincere Evidence*, American Law and Economics Association, New York, NY, May 2019
- 2019 *Insincere Evidence*, University of Iowa Faculty Workshop, Iowa City, IA, Apr 2019
- 2019 *The Logic of Market Definition*, Antitrust Scholars Roundtable, Irvine, CA, Mar 2019

- 2018 *A Likelihood Story: The Theory of Legal Fact-Finding*, Yale/Stanford/Harvard Junior Faculty Forum, Cambridge, MA, Jun 2018
- 2018 *Insincere Evidence*, ComplianceNet, Irvine, CA, Jun 2018
- 2018 *Powers, But How Much Power? Game Theory and the Nondelegation Principle*, American Law and Economics Association, Boston, MA, May 2018
- 2017 *Permutation Tests for Experimental Data: A User's Guide* (with C. Holt), Economic Science Association, Richmond, VA, Oct 2017
- 2017 *Powers without Power: Game Theory and the Nondelegation Doctrine*, University of Iowa College of Law, Iowa City, IA, Aug 2017
- 2017 *A Likelihood Story: The Theory of Legal Fact-Finding*, American Law and Economics Association, New Haven, CT, May 2017
- 2016 *A Likelihood Story: The Theory of Legal Fact-Finding*, Federal Trade Commission, Bureau of Economics, Washington, DC, Oct 2016
- 2013 *Probative Inference from Phenomenal Coincidence: Demystifying the Doctrine of Chances*, American Law and Economics Association, Nashville, TN, May 2013
- 2012 *Does Asymmetric Information Delay Settlement? Evidence from an Experimental Study* (poster), American Law and Economics Association, Palo Alto, CA, Jun 2012
- 2011 *Experimental Study of Settlement Delay under Asymmetric Information*, Southern Economic Association, Washington, D.C., Nov 2011

## OTHER WRITING

- 2015– Executive editor for the *Merger Guidelines Enhancement and Annotation Project*, available at [MergerGuidelines.com](http://MergerGuidelines.com) (with H. Su)
- 2023 Public Comments on the Department of Justice and the Federal Trade Commission Draft Merger Guidelines (Sep 18, 2023)
- 2022 ABA Antitrust Law Section, U.S. Comments and Policy Committee, Comments Regarding the American Innovation and Choice Online Act (Apr 27, 2022) (drafter)

- 2021 ABA Antitrust Law Section, Competition/Consumer Protection Policy And North American Comments Task Force, Commentary on Mergers Involving Nascent, Imminent, and Potential Competitors (Jul 13, 2021) (drafter)
- 2020 ABA Antitrust Law Section, Competition/Consumer Protection Policy And North American Comments Task Force, Analyzing the scope of Enforcement Actions Against Consummated Mergers in a Time of Heightened Scrutiny (April 2020) (drafter)
- 2020 Public Comments on the Department of Justice and the Federal Trade Commission Draft Vertical Merger Guidelines (with H. Su) (Feb 25, 2020)
- 2016 What does it take to settle a merger case? (with B. Gris), *Competition Matters Blog* (Jul 22, 2016)

## OTHER SPEAKING

- 2023 Panelist, *Reducing the Demand for Inexpensive Meat*, Animal Welfare and Climate Change: Intersections and Parallels Symposium, Northwestern Law School, Chicago, IL, Mar 2023
- 2023 Moderator, *US Merger Guidelines*, Concurrences & CCIA, Webinar, Oct 2023
- 2023 Panelist, *Should Revised Merger Guidelines Address Potential & Nascent Competition?*, TechFreedom, Washington, DC, Jan 2023
- 2022 Panelist, *Can Looking Back Move Us Forward: Anticipating New Merger Guidelines*, The George Washington University Competition Law Center and Crowell & Moring's Fourth Annual Antitrust and Tech Conference, Washington, DC, Dec 2022
- 2022 Panelist, *Exploring Potential Knock-on Effects in Mergers*, Antitrust Midwest, Chicago, IL, Jul 2022
- 2022 Panelist, *Examining the American Innovation and Choice Online Act: An Expert Perspective*, International Center for Law & Economics, Portland, OR, May 2022
- 2022 Panelist, *Summary of Recent Proposed Antitrust Legislation*, American Bar Association, Antitrust Section, Washington, DC, Feb 2022
- 2021 Panelist, *Merger Enforcement and Deals*, Iowa State Bar Association Event, Iowa City, IA, Sep 2021

- 2021 Host, *Expert Panel on Big Data and Antitrust*, Iowa Innovation Business and Law Center, Iowa City, IA, Jul 2021
- 2021 Panelist, *Antitrust and Athletics: A Panel Discussion of NCAA v. Alston*, Iowa Innovation Business and Law Center, Iowa City, IA, Apr 2021

## COURSES TAUGHT

### University of Iowa College of Law, Iowa City, IA

S 2024	Law and Economics	S 2021	Evidence Law
S 2024	Evidence Law	F 2020	Antitrust Law
F 2023	Antitrust Law	S 2020	Antitrust Law
S 2023	Law and Economics	S 2020	Evidence Law
S 2023	Evidence Law	S 2019	Law and Economics
F 2022	Antitrust Law	S 2019	Antitrust Law
S 2022	Law and Economics	F 2018	Evidence Law
S 2022	Evidence Law	S 2018	Antitrust Law
F 2021	Antitrust Law	F 2017	Evidence Law

## ACADEMIC & PROFESSIONAL SERVICE

### Antitrust Law Journal

- 2022–24 Senior Editor
- 2020–22 Associate Editor

### Antitrust Section, American Bar Association, Chicago, IL

- 2021–24 Vice Chair, U.S. Comments and Policy Committee
- 2019–21 Member, Competition/Consumer Protection Policy and North American Comments Task Force

### Conference on Empirical Legal Studies, Charlottesville, VA

- 2022 Area Organizer for Antitrust

### American Law and Economics Association, New Haven, CT

- 2021 Area Organizer for Antitrust

### University of Iowa, Iowa City, IA

- 2019–24 Committee on Competition with Private Enterprise

### University of Iowa College of Law, Iowa City, IA

- 2022–24 Intellectual Life Committee, co-chair



2021–22 Honors & Awards Committee  
2020–21 Curriculum & Learning Outcomes Committee  
2020–22 Intellectual Life Committee, member  
2019–21 Junior Faculty Workshop, coordinator  
2019–20 JD Admissions Committee  
2019–20 Dean’s Advisory Council on Curricular and Community Enhancement  
2018–20 Speakers Committee  
2017–18 SJD Admissions Committee  
2017–18 Junior Faculty Workshop, Coordinator

### **Referee for Peer-Reviewed Journals**

American Law and Economics Review; Antitrust Law Journal; Canadian Journal of Political Science; Games and Economic Behavior; Journal of Behavioral and Experimental Economics; Journal of Economic Behavior & Organization; Journal of Economic Psychology; Journal of Empirical Legal Studies; Journal of Law, Economics, & Organization; Journal of Legal Studies; Law and Philosophy; Law, Probability & Risk

### **Referee for Law Reviews**

Jurimetrics; Northwestern Law Review

## **SCHOLARSHIP IDENTIFICATION**

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